

Failure to  
keep in re-  
pair.

SEC. —. If any person having an interest in any joint division fence shall fail to make or keep in repair his part thereof, he shall not be entitled to any damages on account of any trespass through said part by stock belonging to the other joint owner of said fence; and if he shall kill, maim, or otherwise injure such stock, upon conviction thereof shall pay to the owner of said stock the full value thereof, with cost of suit; and if such person be a married woman, she shall be liable under this section of this act as fully as if she were a femme sole, and her separate estate shall be responsible therefor.

Entitled to  
recover.

How enforced.

SEC. —. In all other cases of trespass by stock, the party trespassed upon shall be entitled to recover from the owner or owners of the stock trespassing, the amount of damage done by such trespass, as other debts are now recovered; and in case the owner of said stock shall be a married woman, she may be sued therefor, and judgment may be recovered against her as fully as if she were a femme sole, which said judgment may be enforced by execution against her separate estate; and the stock so found trespassing shall be also liable, in all cases, for the damage committed, and may be held by the party trespassed upon and damaged until the full amount of such damage, and the cost of keeping or impounding such stock is paid; and the judgment rendered for such damage shall be a lien upon said stock so found trespassing from the date of said trespass, which said lien shall not be affected or destroyed by any alienation, sale or other transfer of said stock subsequent to the date of said trespass.

Inconsistent  
acts repealed.

SEC. 2. *And be it enacted*, That all acts or parts of acts inconsistent with this act be and the same are hereby repealed.

Effective.

SEC. 3. *And be it enacted*, That this act shall take effect from the date of its passage.

Approved April 10, 1880.